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Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

SAURASHTRA GHARKHED, TENANCY SETTLEMENT AND AGRICULTURAL LANDS (GUJARAT AMENDMENT) BILL, 2026.

GUJARAT BILL NO. 3 OF 2026.

A BILL

further to amend the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949.

It is hereby enacted in the Seventy-seventh Year of the Republic of India as follows:-

1. This Act may be called the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands (Gujarat Amendment) Act, 2026. **Short title.**

Substitution of Section 75 of Sau. Ord. XLI of 1949.

2. In the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949 (hereinafter referred to as "the principal Act"), for section 75 the following section shall be substituted, namely:- **Sau. Ord. XLI of 1949.**

Disposal of land, transfer or acquisition of which is invalid.

"**75.** If the Collector *suo motu* or on the application of any person interested in such land has reason to believe that any person unauthorisedly occupying or wrongfully in possession of any land, -

(a) the transfer of which either by the act of parties or by the operation of law is invalid under the provisions of this Ordinance,

(b) the management of which has been assumed under the said provisions, or

(c) to the use and occupation of which he is not entitled under the said provisions and the said provisions do not provide for the eviction of such persons,

then such land shall be disposed of in the following manner, namely: -

(i) the Collector shall issue a notice to the transferor, the transferee or the person acquiring such land, as the case may be, to show cause as to why the transfer or acquisition should not be declared to be invalid and shall hold an inquiry and decide whether the transfer or acquisition of land is valid or not;

(ii) after holding such inquiry, if the Collector comes to a conclusion that the transfer or acquisition of land to be invalid, he shall make an order declaring the transfer or acquisition to be invalid, unless the parties to such transfer or acquisition give an undertaking in writing that within a period of three months from such date as the Collector may fix, they shall restore the land alongwith the rights and interest therein to the position in which it was immediately before the transfer or acquisition, and the land is so restored within that period;

(iii) on the declaration made by the Collector, such land shall be deemed to vest in the State Government, free from all encumbrances lawfully subsisting thereon on the date of such vesting and shall be disposed of as a land vested in the State Government.".

Amendment of Section 75A of Sau. Ord. XLI of 1949.

3. In the principal Act, in section 75A, for sub-section (2), the following sub-section shall be deemed to have substituted with effect from the 5th day of December, 2015, namely:-

"(2) If the Collector comes to a decision that the transfer of such land is not valid then he shall pass an order thereby,-

(i) imposing the penalty of three times the amount of the prevailing *Jantri* of such land on the person or the institution in whose favour such land is not validly transferred; and

(ii) directing the person or institution in whose favour such land is not validly transferred to restore the land alongwith the rights and interest therein to the position in which it was immediately before such transfer within a period of one month of such order.".

STATEMENT OF OBJECTS AND REASONS

At present, there are three different tenancy laws in operation in the State. In the Bombay area of the State of Gujarat, the Gujarat Tenancy and Agricultural Lands Act, 1948, is in force; in the Kutch area of the State of Gujarat, the Gujarat Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) Act, 1958 is in force; whereas in the Saurashtra area of the State of Gujarat, the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949 (hereinafter referred to as "the Saurashtra Ordinance of 1949") is in force.

It is considered necessary to amend section 75 of the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949 so as to make provision for disposal of the land which is unauthorisedly occupied or wrongfully in possession of any person, by vesting such land in the State Government, free from all encumbrances lawfully subsisting thereon on the date of such vesting. *Clause* 2 of the Bill provides for the same.

It is also considered necessary to amend section 75A of the Saurashtra Ordinance of 1949 in parity with the provisions of the Gujarat Tenancy and Agricultural Lands Act, 1948 and the Gujarat Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) Act, 1958. *Clause* 3 of the Bill provides for the same.

The Bill seeks to amend the Saurashtra Ordinance of 1949 to achieve the aforesaid objects.

Dated the 13th February, 2026. **BHUPENDRA PATEL.**

By order and in the name of the Governor of Gujarat,

K. M. LALA,

Gandhinagar,
Dated the 13th February, 2026.

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

Government Central Press, Gandhinagar.

Signature Not Verified
Signed by : BHOLUSINGH G THAKUR
Senior Manager
Government Central Press,
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